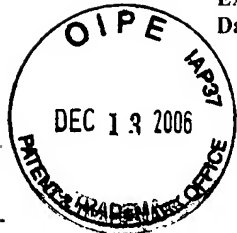


12-15-06  
Express Mail Label No.: EV 978 770 068 US  
Date of Deposit: December 13, 2006

Attorney Docket No.: 23239-547



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Epstein, *et al.*  
SERIAL NUMBER: 10/762,915 EXAMINER: Richard A. Schnizer  
FILING DATE: January 21, 2004 ART UNIT: 1635  
FOR: APTAMER THERAPEUTICS USEFUL IN OCULAR  
PHARMACOTHERAPY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 13, 2006  
Boston, Massachusetts


**TRANSMITTAL LETTER**

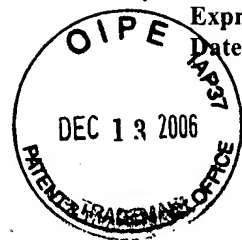
Transmitted herewith for filing in the above-identified patent application are the following documents:

1. Communication Regarding Entity Status (3 pages);
2. Check No. 23490 as payment for adjusted fees for large entity status; and
3. Return Postcard.

The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, to the deposit account of the undersigned, Deposit Account No. 50-0311, referencing Attorney Docket No. 23239-547. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

 Reg. No. 39,529  
for Ivor R. Elrifi, Reg. No. 39,529  
Attorney for Applicants  
c/o MINTZ, LEVIN  
One Financial Center  
Boston, Massachusetts 02111  
Tel: (617) 542-6000  
Fax: (617) 542-2241  
Customer No. 30623



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS: Epstein, *et al.*  
SERIAL NUMBER: 10/762,915 EXAMINER: Richard A. Schnizer  
FILING DATE: January 21, 2004 ART UNIT: 1635  
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**COMMUNICATION REGARDING ENTITY STATUS**

Applicants, in good faith and without any deceptive intent, established small entity status in the above-identified application and paid fees as a small entity. However, Applicants have since discovered that small entity status was established in error in the instant application. In accordance with the provisions of 37 C.F.R. § 1.28(c)(1)-(c)(2), Applicants submit herein an itemization and deficiency payment resulting from the previous payment of small entity fees.

**Itemization of the Deficiency Payment** is presented on page 2 of this paper

**Remarks** begin on page 3 of this paper.

Adjustment date: 12/18/2006 SLUANG1  
01/28/2004 JBALINAN 00000071 10762915  
01 FC:2001 -385.00 OP  
02 FC:2201 -172.00 OP  
03 FC:2202 -171.00 OP

Adjustment date: 12/18/2006 SLUANG1  
05/27/2004 SZEWDIEI 00000024 10762915  
01 FC:2051 -65.00 OP

12/18/2006 SLUANG1 00000011 10762915

01 FC:1001 790.00 OP  
02 FC:1051 130.00 OP  
03 FC:1201 800.00 OP  
04 FC:1202 950.00 OP  
05 FC:1461 1200.00 OP

**Itemization of the Deficiency Payment:**

Type of Fee	Current Fee Amount for Non-Small Entity	Small Entity Fee Actually Paid	Date of Payment	Deficiency Owed
Basic Filing Fee	\$790.00	\$385.00	January 21, 2004	\$405.00
Utility Search Fee	\$500.00	\$0		\$500.00
Utility Examination Fee	\$200.00	\$0		\$200.00
Utility Application Size fee (Specification, Figures and Sequence Listing, 173 pages total)	\$250.00 x 2 (\$500.00)	\$0		\$500.00
Independent Claims In Excess of 3	\$200 x 4 (\$800)	\$172.00	January 21, 2004	\$628.00
Total Claims	\$50.00 x 19 (\$950)	\$171.00	January 21, 2004	\$779.00
Surcharge - Late Filing Fee or Oath or Declaration	\$130.00	\$65.00	May 24, 2004	\$65.00
<b>Total Deficiency Payment Owed:</b>				<b>\$3,077.00</b>


**REMARKS**

In accordance with the provisions of 37 C.F.R. § 1.28(c)(1)-(c)(2), Applicants submit herein an itemization and deficiency payment resulting from the previous payment of small entity fees. Applicants submit herewith a check in the amount of \$3,077.00 to cover the deficiency payment.

Although Applicants believe that no additional fees are due in connection with this submission, the Commissioner is authorized to charge any deficiencies to Deposit Account No. 50-0311 (Reference No. 23239-547).

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts..

Respectfully submitted,

 <sup>Reg. No. 57,1040</sup>  
for . Ivor R. Elrifi, Reg. No. 39,529  
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